

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 4:96-cr-00056-MR-1**

TIMOTHY LAMONT RUFF,)	
)	
Petitioner,)	
)	
vs.)	<u>ORDER</u>
)	
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
)	
<hr style="width:40%; margin-left:0;"/>)	

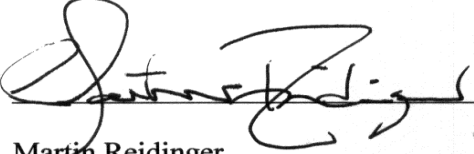
THIS MATTER is before the Court on the Petitioner’s “Addendum” received by the Court on May 21, 2015 [Doc. 125] and the Petitioner’s “Addendum” received by the Court on May 22, 2015 [Doc. 126]. The Court construes each of these pleadings as a motion to amend Petitioner’s previously filed Rule 60(b) motion [Doc. 122].

The Court construed Petitioner’s Rule 60(b) motion as a successive petition and denied it on May 11, 2015. [See Doc. 124]. Accordingly, Petitioner’s motions to amend his Rule 60(b) motion are moot. For the reasons stated in the Court’s Order denying Petitioner’s Rule 60(b) motion, the Court declines to issue a certificate of appealability.

IT IS, THEREFORE, ORDERED that the Petitioner's pleadings [Docs. 125, 126], which the Court construes as motions to amend, are **DENIED AS MOOT**.

IT IS FURTHER ORDERED that pursuant to Rule 11(a) of the Rules Governing Section 2255 Cases, the Court declines to issue a certificate of appealability.

IT IS SO ORDERED.


Martin Reidinger
United States District Judge

